

EXHIBIT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**RAIDER MARKETING, LP, EXCO
RESOURCES, INC., EXCO OPERATING
COMPANY, LP, AND EXCO LAND
COMPANY, LLC,**

PLAINTIFFS,

V.

**CHESAPEAKE ENERGY MARKETING,
LLC and CHESAPEAKE ENERGY
CORPORATION,**

DEFENDANT.

CIVIL ACTION NO. 3:17-CV-1516-N

AFFIDAVIT OF DOUGLAS J. NIX

STATE OF OKLAHOMA §

§

COUNTY OF OKLAHOMA §

BEFORE ME, the undersigned authority, personally appeared Douglas J. Nix, who is personally known to me, and after being first duly sworn according to law, deposed and stated under oath as follows:

1. “My name is Douglas J. Nix. I am over the age of 21 years, and I am competent and fully authorized to testify in this cause.

2. I am the Assistant General Counsel-Corporate of Chesapeake Energy Corporation (“CEC”). My responsibilities in this position include providing legal advice across a variety of matters, including capital markets, securities, and general corporate matters. In my position, I have become familiar with the organization and structure of CEC along with its various

subsidiaries. In my capacity as Assistant General Counsel-Corporate of CEC I have personal knowledge of the facts stated herein and they are true and correct.

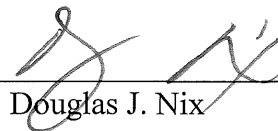
3. CEC is a corporation incorporated and existing under the laws of Oklahoma. CEC's principle place of business is located at 6100 N. Western Avenue, Oklahoma City, Oklahoma. CEC has no offices in Texas, nor does it employ any personnel in Texas. CEC does not own or lease real property in Texas. CEC has not sought authority to do business in the state of Texas, does not maintain a registered agent in the state of Texas, and does not transact business in Texas.

4. I understand that the plaintiffs in the above-styled lawsuit have alleged causes of action related to a September 1, 2009, Base Contract for Sale and Purchase of Natural Gas originally between EXCO Production Company, LP and Chesapeake Energy Marketing, Inc. (the "Base Contract"), and a related Transaction Confirmation For Immediate Delivery No. 7 ("Confirmation No. 7"). Copies of the Base Contract and Confirmation No. 7 are attached to the Plaintiffs' Amended Complaint filed in this lawsuit as Exhibits "A" and "B," respectively. CEC does not buy, sell, or market natural gas in Texas. Further, CEC has not bought, sold, or marketed natural gas pursuant to the Base Contract or Confirmation No. 7. CEC is not a party or signatory to the Base Contract or Confirmation No. 7.

5. Chesapeake Energy Marketing, LLC ("CEM") is an Oklahoma limited liability company and its sole member is CEC. There is no express agency agreement between CEM and CEC, and CEM is not authorized to act on CEC's behalf with respect to the Base Contract, Confirmation No. 7, or otherwise. CEM is a wholly-owned subsidiary of CEC. CEM is engaged in the business of gas marketing, purchasing natural gas from producers and marketing and

selling such gas to third parties. CEM engages in this business in multiple states, including Texas. CEM is a party to the Base Contract and Confirmation No. 7.


FURTHER AFFIANT SAYETH NOT.”



Douglas J. Nix

SUBSCRIBED AND SWORN TO before me, the undersigned official, on the ____ day of September 2017, to certify which witness my hand and official seal of office.





Notary Public, State of Oklahoma

My commission expires: 4/29/20